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AUG 07 2009 UNITED STATES DISTRICT COURT

U. S. DISTRICT COURT EASTERN DISTRICT OF MISSOURI  
EASTERN DISTRICT OF MO EASTERN DIVISION  
ST. LOUIS

INTERFOOD HOLDING, B.V. )  
vs. Plaintiff ) JURY TRIAL DEMANDED  
vs. ) No. 4:08-cv-00085 DJS  
LARRY RICE, MICHAEL HUSMANN )  
and DF INGREDIENTS, INC. )  
Defendants )

**MOTION FOR SETTLEMENT - re DOC 170**

Comes now Larry Rice, Defendant and state as follows:

1. Plaintiff is a holding company in Holland for an international group of dairy-trading companies which Plaintiff refers to as the "Interfood Group".
2. Frank van Stipdonk is Plaintiff's Managing Director and largest shareholder.
3. Plaintiff owns 100% of Tepco B.V., also a Dutch Holding Company, through which Plaintiff holds its interests in "Group" companies outside of Holland.
4. Rice has been to Mediation once already in this case, and once in a case pending in Franklin County where van Stipdonk, Tepco, and Defendants are all parties, and Rice continues to be ready, willing and able to resume Mediation in both of these cases.
5. In each of those Mediations Rice has made more than one offer only to be told that the other side did not have the authority to settle... and in neither of those two Mediations did Rice receive, in his opinion, a good-faith offer to settle. Rice understands

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that the Mediator and/or the opposition might have a different opinion, and because of the confidential nature of Mediation it would be improper to get into specifics.

6. In both the Federal case and the Franklin County case, Rice believes that the claims against him are and have been frivolous and malicious, with the intent on the part of his opposition to receive property that they do not have a legal right to, and also to cause as much expense and consumption of time as possible for Defendants.

7. Therefore, in an effort to cut the loss of time and cost for Defendants and the Court, Rice wishes to make the following offer of settlement prior to resuming Mediation:

**8. SETTLEMENT OFFER**

A. Rice agrees to remove from his "interfood.us" website all words or phrases which Plaintiff reasonably finds objectionable (any dispute as to reasonableness to be decided by this court without appealed), and not to put said words, including anything that might reasonably be seen as having the same meaning, back on that site, ever.

B. Plaintiff agrees to dismiss their only open claim with prejudice and not to appeal any prior rulings in this case, and to pay Rice reasonable costs and fees including that spent for Mediation; that billed by Green, Jacobson for this case; and an additional amount equal to those Green, Jacobson billings, to cover Rice's time and efforts in this case. The reasonableness of the Green, Jacobson billings to be determined by this Court, without appeal, should Plaintiff complain that the billing is too high.

9. Rice believes that the above proposal should end this dispute and

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eliminate any reasonable objections Plaintiff might have to the content of Rice's website, and that agreement on this would obviate the need to resume Mediation or for the Court to spend any more time on these issues or on appeal.

10. If Plaintiff agrees to the above offer, he should submit a list of the words and phrases he finds objectionable and/or Plaintiff should make a good faith counter offer.

Sincerely,

  
\_\_\_\_\_  
Larry Rice  
127 Elm St Suite 201  
Washington MO 63090

**Certificate of Service**

This is to certify that a copy of this motion was mailed this 6<sup>th</sup> day of August, 2009, with adequate U.S. Postage affixed, to the offices of:

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\_\_\_\_\_  
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US District Court  
Eastern District of MO  
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